

### **REMARKS**

By this Amendment, Applicants amend claims 21, 24, and 35 to more appropriately define Applicants' invention, and cancel claim 37, which was previously withdraw from consideration, without prejudice or disclaimer of the subject matter thereof. Support for the claim amendments is found in the specification at least beginning on page 24, line 24 through page 25, line 6 and on page 52, lines 5-18. Claims 21-36 are pending in the application.

In the Office Action, the Examiner rejected claims 21-27, 29, 35, and 36 under 35 U.S.C. § 103(a) as unpatentable over Strandberg (U.S. Patent No. 6,054,999) in view of Watt et al. ("Advanced Animation and Rendering Techniques") and Kakizawa et al. (U.S. Patent No. 5,966,132) and rejected claims 31-33 under 35 U.S.C. § 103(a) as unpatentable over Strandberg in view of Watt and Kakizawa and further in view of Tsuga et al. (U.S. Patent No. 5,895,124). The Examiner also allowed claims 28, 30, and 34. Applicants thank the Examiner for the indication of allowable subject matter in this application.

Applicants respectfully traverse the rejection of claims 21-27, 29, 35, and 36 under 35 U.S.C. § 103(a) as unpatentable over Strandberg in view of Watt and Kakizawa for at least the following reasons.

To establish a proper *prima facie* case of obviousness under 35 U.S.C. § 103(a), the Examiner must demonstrate each of three requirements. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03 (8<sup>th</sup> ed. 2001). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a

manner resulting in the claimed invention. See M.P.E.P. § 2143.01 (8<sup>th</sup> ed. 2001).

Third, a reasonable expectation of success must exist. See M.P.E.P. § 2143.02 (8<sup>th</sup> ed. 2001). Moreover, each of these requirements must be found in the prior art, not in applicant's disclosure. See M.P.E.P. § 2143 (8<sup>th</sup> ed. 2001).

Claim 21 recites a combination of elements including, among other things, "viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined continuously in real-time based on a player's operation to move the viewpoint and moves independently of the object." The applied prior art references do not disclose or suggest at least these features.

By contrast, Strandberg discloses producing a graphic movement sequence for a cartoon figure by compiling a recording of measured data from strategic parts of an actor. See Abstract. In that regard, Strandberg describes "mark[ing]" an actor with motion points and generating "key drawings." (Strandberg, col. 11, l. 31-col. 12, l. 5.) Strandberg generates a sufficient number of key drawings to visually represent "the whole spectrum of movement." However, Strandberg does not disclose or suggest "viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined continuously in real-time based on a player's operation to move the viewpoint and moves independently of the object," as recited in claim 21.

With regard to Standberg, the Examiner admits that “the viewpoint corresponding to a virtual camera that captures motion of the object, and the position of the viewpoint being determined based on a player’s operation, is not explicitly taught.” See Office Action, page 2. The Examiner then alleges Watt and Kakizawa make up for the shortcomings of Strandberg.

However, Watt, while disclosing that “[a] virtual camera is often used as a conceptual aid in computer graphics,” (Watt at p. 7) nevertheless does not disclose or suggest at least a “viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined continuously in real-time based on a player’s operation to move the viewpoint and moves independently of the object,” as recited in claim 21.

Moreover, the Examiner admits that Stranberg “does not explicitly teach determining the position of the viewpoint continuously based upon a player’s operation” and the Examiner does not allege Watt discloses at least this feature. However, the Examiner then alleges that Kakizawa makes up for the above-noted deficiency of Stranberg and Watt. Applicants respectfully disagree.

While the Kakizawa system “can form high-quality images in real time” (Kakizawa, col. 2, line 66), Kakizawa does not disclose or suggest Applicants’ claimed “viewpoint determining means.” Instead, Kakizawa discloses that a viewpoint is changed based on the movements of a player’s moving object. For example, Kakizawa discloses that player 302 specifies operations such as rotation or translation through a

control panel 304, and then its system performs predetermined 3D computation processing on the basis of the resultant operating signals. Computations are first performed to determine whether a change has occurred, such as a change in the viewpoint position or direction of gaze of the player 302 or a change in the position or orientation of a moving body in which the player 302 is sitting, as specified by these operating signals. Computations are then performed to determine how the image of the 3D object 300 can be seen on the screen 306, in accordance with this change such as a change in viewpoint position or direction of gaze. See, for example, Kakizawa, col. 1, lines 12-43. Thus, the viewpoint in Kakizawa is determined based upon the movement of the object.

However, Applicants' claim 21 recites at least "wherein the position of the viewpoint is determined continuously in real-time based on a player's operation to move the viewpoint and moves independently of the object" (emphasis added). By contrast, in Kakizawa, the viewpoint is determined based on the movement of an object, such as vehicle. Therefore, Strandberg, Watt, and Kakizawa, taken alone or in combination, fail to teach or suggest at least this element of claim 21. The Examiner should thus withdraw the rejection of claim 21 under 35 U.S.C. § 103(a).

Claims 22-27 and 29 depend either directly or indirectly from claim 21. Claim 35, while of a different scope, include recitations similar to those of claim 21, discussed above. Claim 36 depends from claim 35. Therefore, for at least the reasons given above with respect to claim 21, the Examiner should also withdraw the rejection of claims 22-27, 29 and 35-36 under 35 U.S.C. § 103(a).

Applicants respectfully traverse the rejection of claims 31-33 as unpatentable over Strandberg in view of Watt and Kakizawa and further in view of Tsuga for at least the following reasons.

Claims 31-33 depend from claim 21 and include all the elements therein, including “viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined continuously in real-time based on a player’s operation to move the viewpoint and moves independently of the object.” As set forth above, Strandberg fails to teach this element. In addition, as discussed above, Watt and Kakizawa also fail to disclose or suggest at least this element.

Although Tsuga discloses an optical disc reproduction device, Tsuga also fails to cure the deficiencies of Strandberg and Watt. That is, Tsuga fails to teach or suggest at least a “viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined continuously in real-time based on a player’s operation to move the viewpoint and moves independently of the object,” as recited in claim 21.

Accordingly, claims 31-33, which depend from claim 21, are thus patentable over Strandberg, Watt, Kakizawa, and Tsuga, whether taken alone or in any reasonable combination. Therefore, the Examiner should withdraw the rejection of claims 31-33 under 35 U.S.C. §103(a).

**CONCLUSION**

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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